

1 DAVID LOY, Cal. Bar No. 229235
ANN CAPPETTA, Cal. Bar No. 354079
2 FIRST AMENDMENT COALITION
534 4th Street, Suite B
3 San Rafael, CA 94901-3334
Telephone: 415.460.5060
4 Facsimile: 415.460.5155
Email: dloy@firstamendmentcoalition.org
5 acappetta@firstamendmentcoalition.org

6 KEL MCCLANAHAN (*Pro Hac Vice*)
NATIONAL SECURITY COUNSELORS
7 1451 Rockville Pike, Suite 250
Rockville, MD 20852
8 Telephone: 501.301.4672
Email: kel@nationalsecuritylaw.org

9 Attorneys for Plaintiffs MSW MEDIA, INC. and
10 FIRST AMENDMENT COALITION

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 MSW MEDIA, INC., and FIRST
AMENDMENT COALITION,

16 Plaintiffs,

17 v.

18 UNITED STATES DOGE SERVICE, and
19 OFFICE OF MANAGEMENT AND
BUDGET,

20 Defendants.
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Case No. 3:25-cv-02881-AMO

**JOINT MOTION FOR ADMINISTRATIVE
RELIEF PURSUANT TO CIVIL L.R. 7-11
TO PERMIT REMOTE APPEARANCE AT
JULY 2, 2025 INITIAL CASE
MANAGEMENT CONFERENCE**

Date: July 2, 2025

Time: 10:00 a.m.

Location: Courtroom 10, 19th Floor

Judge: Hon. Araceli Martínez-Olguín

Complaint Filed: March 28, 2025

FAC Filed: April 10, 2025

24 **TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT**
25 **OF CALIFORNIA:**

26 Plaintiffs MSW Media, Inc. and First Amendment Coalition (“Plaintiffs”) and Defendants
27 United States DOGE Service and Office of Management and Budget (“Defendants”) (collectively
28 the “Parties”) bring this motion for administrative relief pursuant to Civil L.R. 7-11 and this Court’s

1 standing order to respectfully request permission to allow counsel for Plaintiffs to appear and
 2 participate remotely and via Zoom at the Initial Case Management Conference (Dkt. 8) currently set
 3 for July 2, 2025 at 10:00 a.m. in Courtroom 10 before The Honorable Judge Araceli Martínez-
 4 Olguín.

5 Plaintiffs submit that good cause exists for this request because requiring an in-person
 6 appearance for an initial case management conference would impose a significant cost on Plaintiffs'
 7 counsel. None of Plaintiffs' counsel reside or work in the San Francisco area. Kel McClanahan
 8 would need to pay approximately \$700 in travel and lodging expenses to travel from Rockville,
 9 MD. David Loy would need to pay approximately \$350 in travel and lodging expenses to travel
 10 from San Diego. Ann Cappetta would need to pay approximately \$400 in travel and lodging
 11 expenses to travel from Sacramento. In addition, such travel would require any of Plaintiffs'
 12 counsel who appeared to stay at least one night in a hotel, not to mention the actual travel time.
 13 While a party may reasonably be expected to expend such time and financial resources for a
 14 substantive hearing involving the examination of witnesses, it is excessive to impose such a burden
 15 on a party for a purely procedural matter such as an initial case management conference.

16 Defendants do not request to appear remotely and will appear in person or virtually, subject
 17 to the Court's preference and convenience.¹

18 The instant request is made by a joint Administrative Motion in accordance with Section
 19 C(2) of the Court's Standing Order for Civil Cases.

25 ¹ The undersigned counsel for Defendants works in the Phillip Burton Federal Building,
 26 and therefore good cause does not exist for his own remote appearance. Counsel for Defendants
 27 previously communicated to counsel for Plaintiffs that it would not oppose, and would stipulate to,
 28 Plaintiffs' request for a virtual case management conference and that Plaintiffs could represent this
 position to the Court but did not consent to language suggesting that Defendants requested a
 remote appearance for their own benefit. Plaintiffs apologize to the Court for the inadvertent
 misunderstanding.

1 Dated: June 12, 2025

2 NATIONAL SECURITY COUNSELORS

3 By /s/ Kel McClanahan
4 KEL MCCLANAHAN
5 Attorney for Plaintiffs MSW MEDIA, INC.
6 and FIRST AMENDMENT COALITION

6 Dated: June 12, 2025

7 By CRAIG H. MISSAKIAN
8 United States Attorney

9 /s/ Kenneth Brakebill
10 KENNETH BRAKEBILL
11 Assistant United States Attorney
12 Attorney for Defendants UNITED STATES
13 DOGE SERVICE and OFFICE OF
14 MANAGEMENT AND BUDGET

14 **ATTORNEY'S E-FILING ATTESTATION**

15 As the attorney e-filing this document, and pursuant to the Local Rules, I hereby attest that
16 counsel for Defendants whose electronic signature appears above has concurred in this filing.

17 Dated: June 12, 2025

18 NATIONAL SECURITY COUNSELORS

19 By /s/ Kel McClanahan
20 KEL MCCLANAHAN
21 Attorney for Plaintiffs MSW MEDIA, INC.
22 and FIRST AMENDMENT COALITION
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